

**PUBLIC NOTICE
SPECIAL MEETING
Moore County Planning Board**

Notice is hereby given that the Moore County Planning Board will convene for a Special Meeting on Thursday, June 15, 2023, at 6:00pm in the Board of Commissioners' Meeting Room located on the second floor of the Historic Courthouse, 1 Courthouse Sq., Carthage, NC.

The purpose of the meeting is to:

- **Adopt public hearing procedures for the public hearing to be held at this meeting**
- **Hold a Public Hearing and consider approval regarding the Unified Development Ordinance Amendments below. A Public Hearing was held on said Unified Development Ordinance Amendments below on May 4, 2023, but was recessed on May 4, 2023, for the Planning Board to discuss said Unified Development Ordinance Amendments below in a work session without public comments held on May 18, 2023. This Public Hearing being noticed is for the continuation of the Public Hearing that began on May 4, 2023, for the following purposes:**

Public Hearing

A request to amend the Moore County Unified Development Ordinance as follows, which will potentially affect all residents of Moore County:

Chapter 19 (Subdivisions) and Chapter 20 (Definitions):

1. Chapter 19 (Subdivisions), Section 19.4 (Family Subdivisions) to remove Subdivision Review Board requirements to approve family subdivision plats,
2. Chapter 19 (Subdivisions), Section 19.6 (Minor Subdivisions) to remove Subdivision Review Board requirements to approve minor subdivisions,
3. Chapter 19 (Subdivisions), Section 19.7 (Major Subdivisions – Preliminary Plat Submittal and Review) to change Stormwater Management Plan submittal requirement from preliminary plat stage to final plat stage, update stormwater management plan requirements to be consistent with current NC Department of Environmental Quality (NCDEQ) policies, and move this section from 19.7 (Major Subdivisions – Preliminary Plat Submittal and Review) to Section 19.11 (Major Subdivision – Construction Process),
4. Chapter 19 (Subdivisions), Section 19.16 (Subdivision Plat Requirements) to change items on the table of subdivision plat requirements checklist as follows:
 - a. Proposed buildings are required only if applicable on preliminary plats,
 - b. Existing buildings are required only on exempt, minor, and family subdivisions,
 - c. Allow existing topography to be shown on preliminary plats, not proposed topography,
 - d. Allow existing and proposed entrance signs to be shown on preliminary plats if applicable,

- e. Allow estimated linear feet in streets on preliminary plats and require linear feet in streets on final plats,
 - f. Allow estimated percentage of entire project to be covered with impervious surfaces, including totals by phase on preliminary plats and require percentage of entire project to be covered with impervious surface, including totals by phase on final plats.
 - g. Allow estimated separate impervious surface totals by streets, sidewalks, maximum allowed for each lot, etc. on preliminary plats and require separate impervious surface totals by streets, sidewalks, maximum allowed for each lot, etc. on final plats.
 - h. Primary and secondary fire and rescue responders are required on preliminary and final plats.
 - i. Allow Stormwater Management Plans for major subdivisions to be submitted at final plat stage rather than preliminary plat stage.
5. Chapter 19 (Subdivisions), Section 19.17 (Subdivision Plat Certification Requirements) to remove the requirement for a utilities certificate on minor subdivision plats.
 6. Chapter 20 (Definitions), Section 20.2 (Definitions) to add the definitions of stormwater management plan, stormwater control measures, dispersed flow, vegetated conveyance, and post-construction stormwater management permit to the definitions section.

Chapter 4 (Zoning Permits, Site Plans, and Determinations), Chapter 7 (General Development Standards), Chapter 8 (Specific Use Standards) and Chapter 17 (Flood Damage Prevention):

1. Chapter 4 (Zoning Permits, Site Plans, and Determinations) Section 4.1 (Zoning Permit Required) to remove zoning decision sign requirements for new non-residential buildings or changes of use,
2. Chapter 7 (General Development Standards), Section 7.8 (Highway Corridor Overlay District) to add “Manufacturing, General” to Conditional Zoning uses in the Urban Transition Highway Corridor Overlay District,
3. Chapter 8 (Specific Use Standards), Section 8.113 (Wireless Communication Facility) to remove the requirement for a Biennial Operating Permit for persons operating wireless communication facilities, and
4. Chapter 17 (Flood Damage Prevention), Section 17.1 (Applicability) to correct the statute reference.

Information pertaining to the proposed actions is available for inspection in the Moore County Planning & Inspections office at 1048 Carriage Oaks Drive, Carthage, NC 28327 during normal business hours (8am to 5pm, Monday through Friday). Changes may be made in the application/request that reflect information presented at the hearing.

Please give reasonable notice to the Moore County Planning Department at (910) 947-5010 if accommodations for individuals with disabilities or impairments are required. Deaf and hearing-impaired individuals may use a TDD by calling (800) 735-2962.

**MOORE COUNTY PLANNING BOARD
SPECIAL MEETING
THURSDAY, JUNE 15, 2023, 6:00 PM
MOORE COUNTY HISTORIC COURTHOUSE – 2nd FLOOR**

CALL TO ORDER – 6 PM

INVOCATION – (Member Volunteer)

PLEDGE OF ALLEGIANCE – (Member Volunteer)

MISSION STATEMENT – (Member Volunteer)

I. PUBLIC COMMENT PERIOD (*Procedures are attached*)
Please sign up on the Public Comment Sign In sheet near the door

I. APPROVAL OF CONSENT AGENDA
All items listed below are considered routine and will be enacted by one motion. No separate discussion will be held except by a member of the Planning Board:

- A. Approval of Meeting Agenda
- B. Approval of Minutes of May 4, 2023, Regular Meeting
- C. Approval of Minutes of May 18, 2023, Work Session
- D. Consideration of Abstentions

II. ADOPT PUBLIC HEARING PROCEDURES FOR THE PUBLIC HEARING TO BE HELD AT THIS MEETING

III. PUBLIC HEARING

1. A request to amend Chapter 4 (Zoning Permits, Site Plans, and Determinations), Chapter 7 (General Development Standards), Chapter 8 (Specific Use Standards) and Chapter 17 (Flood Damage Prevention), Chapter 19 (Subdivisions) and Chapter 20 (Definitions)- **Debra Ensminger**

IV. PLANNING DEPARTMENT REPORTS - Debra Ensminger

V. BOARD COMMENT PERIOD - Chairman

VI. UPCOMING EVENTS

- Tuesday, June 20, 2023, 5:30 PM Board of Commissioners Meeting to be held at the Historic Courthouse in Carthage
- Thursday, June 22, 2023, 10:00 AM Board of Commissioners Special Meeting & 9:45 AM EMWD Board of Directors to be held at the Historic Courthouse in Carthage
- Tuesday, July 18, 2023, 5:30 PM Board of Commissioners Meeting to be held at the Historic Courthouse in Carthage
- Tuesday, August 1, 2023, 10:30 AM Board of Commissioners Meeting to be held at the Historic Courthouse in Carthage

- **Thursday, August 3, 2023, 6:00 PM Planning Board Meeting to be held at the Historic Courthouse in Carthage**
- Tuesday, August 15, 2023, 5:30 PM Board of Commissioners Meeting to be held at the Historic Courthouse in Carthage
- Tuesday, September 5, 2023, 10:30 AM Board of Commissioners Meeting to be held at the Historic Courthouse in Carthage

VII. ADJOURNMENT

*Special accommodation for individuals with disabilities or impairments will be made upon request to the extent that reasonable notice is **given** to the County.*

Please see attached procedures for the Public Comment Period and public comment during Public Hearing

**PUBLIC COMMENT PROCEDURES
MOORE COUNTY PLANNING BOARD**

The Moore County Planning Board is committed to allowing members of the public an opportunity to offer comments and suggestions for the efficient and effective administration of government. In addition to public hearings, a special time is set aside for the purpose of receiving such comments and suggestions. All comments and suggestions addressed to the Board during the Public Comment Period shall be subject to the following procedures:

- 1. The Public Comment period will be held at the beginning of the Board meeting. The comment period will be limited to a maximum of thirty minutes*
- 2. Persons who wish to address the Board during the Public Comment Period will register on a sign-up sheet available on the table outside the entrance door to the Meeting Room indicating contact information and topic. Sign-up sheets will be available beginning 30 minutes before the start of the meeting. No one will be allowed to have his/her name placed on the list by telephone request to County Staff.*
- 3. Each person signed up to speak will have three (3) minutes to make his/her remarks. Each person signed up to speak will only be entitled to the time allotted to each speaker and one additional time period which may be yielded to him/her by another individual who has also signed up to speak on a particular topic.*
- 4. Speakers will be acknowledged by the Board Chairperson in the order in which their names appear on the sign-up sheet. Speakers will address the Board from the lectern at the front of the room and begin their remarks by stating their name and address.*
- 5. Public comment is not intended to require the Board to answer any impromptu questions. Speakers will address all comments to the Board as a whole and not one individual member. Discussions between speakers and members of the audience will not be allowed.*
- 6. Speakers will be courteous in their language and presentation. Matters or comments which are harmful, discriminatory or embarrassing to any citizens, official or employee of Moore County shall not be allowed. Speaker must be respectful and courteous in their remarks and must refrain from personal attacks and the use of profanity.*
- 7. Only one speaker will be acknowledged at a time. If the time period runs out before all persons who have signed up get to speak, those names will be carried over to the next Public Comment Period.*
- 8. Any applause will be held until the end of the Public Comment Period.*
- 9. Speakers who have prepared written remarks or supporting documents are encouraged to leave a copy of such remarks and documents with the Chairperson.*
- 10. Information sheets outlining the process for the public's participation in Board meetings will also be available in the rear of the Meeting Room.*
- 11. Action on items brought up during the Public Comment Period will be at the discretion of the Board.*

Adopted on the 4th day of February, 2010 by a 8 to 1 vote of the Moore County Planning Board.

MOORE COUNTY PLANNING BOARD PUBLIC HEARINGS PROCEDURES

The Moore County Planning Board serves the public as well as the Board of Commissioners. During each public hearing a special time has been set aside for the purpose of receiving comments and suggestions. To insure that comments and suggestions are productive and not unnecessarily long, procedural rules for conducting public hearings are necessary. The following procedural rules will be utilized during public hearings of the Moore County Planning Board:

- 1. Anyone who would like to address the Board during a public hearing should register on the appropriate sign-up sheet indicating their name and address. Sign-up sheets will be available on the table outside the entrance door to the Meeting Room 30 minutes before the start of the meeting. Information sheets outlining the process for the public's participation in Board meetings and public hearings will also be available. No one will be allowed to have his/her name placed on the list by telephone request to County Staff.*
- 2. Each speaker will be called by the Chairman to the lectern, will state their name and address clearly into the record before providing their comments.*
- 3. Speakers will address all comments to the Board as a whole and not to any one individual member. Speakers will be respectful, courteous, refrain from personal attacks and the use of profanity.*
- 4. Any applause will be held until the end of the public hearing.*
- 5. Speakers who have prepared written remarks or supporting documents are encouraged to leave a copy of such remarks and documents with the Secretary.*
- 6. Action on items brought up during the public hearing will be at the discretion of the Board.*

Adopted on the 5th day of May, 2011 by a 9 to 0 vote of the Moore County Planning Board

MINUTES
MOORE COUNTY PLANNING BOARD
THURSDAY, MAY 4, 2023, 6:00 PM
MOORE COUNTY HISTORIC COURTHOUSE – 2nd FLOOR

Board Members Present:

Joe Garrison (Chairman), Bobby Hyman (Vice-Chairman), David McLean, Farrah Newman, John McLaughlin, Mick McCue, Jeffrey Gilbert, Amy Lynn

Board Members Absent:

Tucker McKenzie,

Staff Present:

Debra Ensminger, Planning Director; Stephanie Cormack, Admin Officer; Ruth Pedersen, Senior Planner; Tron Ross, Associate County Attorney

CALL TO ORDER

Chairman Joe Garrison called the meeting to order at 6:00 pm.

INVOCATION

Chairman Joe Garrison offered the invocation.

PLEDGE OF ALLEGIANCE

Chairman Joe Garrison led in citing of the Pledge of Allegiance.

MISSION STATEMENT

Vice-chair Hyman read the Moore County Mission Statement.

PUBLIC COMMENT PERIOD

There was no public comment.

APPROVAL OF THE CONSENT AGENDA

- A. Approval of Meeting Agenda
- B. Approval of Minutes of March 2, 2023
- C. Consideration of Abstentions

Board member Jeff Gilbert made a motion for approval of the consent agenda and approval of the minutes of March 2, 2023, meeting. Vice-chair Hyman seconded the motion and the motion passed unanimously 8-0.

PUBLIC HEARINGS

Public Hearing #1 – Rural Agricultural (RA) to Rural Agricultural Conditional Zoning (RA-CZ) – Ruth Pedersen

Senior Planner Ruth Pedersen presented a request for a Conditional Rezoning from Rural Agricultural (RA) to Rural Agricultural Conditional Zoning (RA-CZ) to construct a 259' antenna support structure for a Wireless Communication Facility on an approximately 0.11-acre portion of one parcel of approximately 645.21 acres located on S Carbonton Rd., owned by Jordan Two, LLC, per Deed Book 5072 Page 207 and further described as ParID 00003417 in Moore County Tax Records.

Mrs. Pedersen went over the items within the packet regarding the request.

Board member McCue inquired about the deed within the packet and the number of pages included.

Mrs. Pedersen explained the applicant is available for comments and can help provide more information.

With no further questions from the board, Chairman Garrison opened the Public Hearing.

The following signed up to speak during the Public Hearing.

- Jonathan Yates; 105 Broad St. Charleston SC; applicant representative
 - Mr. Yates addressed Board member McCue's comment explaining the property owner owns several properties and the deed reflects ownership of the parcel.
 - Mr. Yates spoke in favor of the proposed item, explaining the need for service in the rural areas. Verizon will be on top with room for additional carriers.
- Lynn Goldhammer; 11 Salem Ln. Pinehurst, NC
 - Ms. Goldhammer expressed her concerns about the negative impact on farm animals and the people in the area.
- Matthew Parker; 4269 Union Church Rd. Carthage, NC
 - Mr. Parker-local farmer expressed the need for good cell service and how it benefits his agri-business.

Board member Lynn inquired if there had been any studies regarding Ms. Goldhammer's concerns.

Mr. Yates explained the standards in place are set by the Federal Communications Commission, the current project will come in about 1% -2% of what is allowed to omit which is under the

regulations set in place by the Federal Communications Commission criteria. Mr. Yates also mentioned the property being proposed is all timber land with no farm animals present.

With no further discussion or public comment Chairman Garrison closed the public hearing.

With no further discussion from the board, Vice-chair Bobby Hyman made a motion to adopt the attached Approval Moore County Planning Board Land Use Plan Consistency Statement and authorize its chairman to execute the document as required by North Carolina General Statute 160D-604. The motion was seconded by Board member David McLean; the motion passed 8-0.

Vice-chair Bobby Hyman made a motion to recommend Approval to the Moore County Board of Commissioners of the Conditional Rezoning from Rural Agricultural (RA) to Rural Agricultural Conditional Zoning (RA-CZ) to construct a 259' antenna support structure for a Wireless Communication Facility on an approximately 0.11-acre portion of one parcel of approximately 645.21 acres located on S. Carbonton Rd., owned by Jordan Two, LLC, per Deed Book 5072 Page 207 and further described as ParID 00003417 in Moore County Tax Records. The motion was seconded by Board member John McLaughlin; the motion passed 8-0.

Public Hearing #2 – Unified Development Ordinance Text Amendment – Ruth Pedersen

Senior Planner Ruth Pedersen presented a request to amend the Moore County Unified Development Ordinance as follows:

1. Chapter 4 (Zoning Permits, Site Plans, and Determinations) Section 4.2 to remove zoning decision sign requirements,
2. Chapter 7 (General Development Standards), Section 7.8 to add “Manufacturing, General” to Conditional Zoning uses in the Urban Transition Highway Corridor Overlay District,
3. Chapter 8 (Specific use Standards), Section 8.113 to remove the requirement for a Biennial Operating Permit for persons operating wireless communication facilities,
4. Chapter 10 (General Application Review Procedures), Section 10.8 to give the administrator the option to provide additional public notice of a public hearing beyond the statutory requirement on a case-by-case basis without any legal obligation to do so,
5. Chapter 17 (Flood Damage Prevention), Section 17.1 to correct the statute reference,
6. Chapter 19 (Subdivisions) to remove Subdivision Review Board requirements to approve family and minor subdivision plats,
7. Chapter 19 (Subdivisions), Section 19.7 to change Stormwater Management Plan submittal requirement from preliminary plat stage to final plat stage, update stormwater management plan requirements to be consistent with current NCDEQ policies, and move this section from 19.7 (Major Subdivisions – Preliminary Plat Submittal and Review) to Section 19.11 (Major Subdivision – Construction Process),
8. Chapter 19 (Subdivisions), Section 19.16 to change items on the table of subdivision requirements checklist as follows:
 - a. Proposed buildings are required if applicable on preliminary plats,
 - b. Existing buildings are required only on exempt, minor, and family subdivisions,

- c. Allow existing topography to be shown on preliminary plats, not proposed topography,
 - d. Allow existing and proposed entrance signs to be shown on preliminary plats if applicable,
 - e. Allow estimated linear feet in streets on preliminary plats and require linear feet in streets on final plats,
 - f. Allow estimated percentage of entire project to be covered with impervious surfaces, including totals by phase on preliminary plats and require percentage of entire project to be covered with impervious surface, including totals by phase on final plats.
 - g. Allow estimated separate impervious surface totals by streets, sidewalks, maximum allowed for each lot, etc. on preliminary plats and require separate impervious surface totals by streets, sidewalks, maximum allowed for each lot, etc. on final plats.
 - h. Primary and secondary fire and rescue responders are required on preliminary and final plats.
 - i. Allow Stormwater Management Plans for major subdivisions to be submitted at final plat stage rather than preliminary plat stage.
 - j. Remove requirement for a utilities certificate on minor subdivision plats.
9. Chapter 20 (Definitions), Section 20.2 to add the definition of stormwater management plan, stormwater control measures, dispersed flow, vegetated conveyance, and post-construction stormwater management permit to the definitions section.

Mrs. Pedersen went over each item within the packet regarding the request.

The following board members commented on the following items:

- Mr. Gilbert, item 7.g. what if they do not meet the current calculations? Mrs. Pedersen explained there would be a discrepancy and would need to be corrected at final plat submittal.
- Mr. Gilbert, item E. removal of zoning decision sign-how will the neighboring property be notified of a zoning decision? Ms. Ensminger explained the neighboring properties could contact the office.
- Mr. McCue, item E. removal of zoning decision sign has the same concerns as Mr. Gilbert.
- Mr. Garrison, item E., if an appeal is made regarding a zoning decision who would hear the appeal? Ms. Ensminger explained the appeal would be heard before the Board of Adjustment.
- Mr. McCue, chapter 19 item 5.D, what if the administrator does not act within the 14 days? Ms. Ensminger explained staff would never allow this to happen.
- Mr. Gilbert, if the board makes a motion would it have to be all items, or can these be broken down by sections? Mrs. Pedersen explained this would be an option.

With no further questions from the board, Chairman Garrison opened the Public Hearing.

The following signed up to speak during the Public Hearing.

- Matthew Parker; 4269 Union Church Rd. Carthage, NC-spoke against the proposed changes.
- Bob Coates, 21 Edinburgh Ln. Pinehurst, NC -spoke against the proposed changes. (See Exhibit A)
- Bruce Geddes, 232 Bowman Rd. Aberdeen, NC-spoke against the proposed changes. (See Exhibit B)
- Lynn Goldhammer, 11 Salem Ln. Pinehurst, NC- spoke against the proposed changes.
- Marsh Smith, 568 Santee Rd. Carthage- spoke against the proposed changes.

Chairman Garrison inquired if the board feels they need more time is a motion to table an option or if the board would like to approve certain items and table others.

Mrs. Pedersen explained tabling the item would be an option if it was very clear in the motion.

With no further discussion or public comment Chairman Garrison closed the public hearing.

Minor discussion was held amount the board members.

Board member Mick McCue made a motion to table all items and hold a workshop on May 18th at 6 pm located at 1 Courthouse Square. The motion was seconded by Board member Farrah Newman; the motion passed 8-0.

Public Hearing #3 – Amend 2013 Moore County Land Use Plan – Debra Ensminger

Planning Director presented a request to amend the 2013 Moore County Land Use Plan, East Moore Water District (page 56) as follows:

Current Language: “The intent of the system is to supply water to rural residents to improve their quality of life; the system was not necessarily designed to promote growth or support large subdivisions in the district.”

Potential modification: “The intent of the system is to supply water to rural residents to improve their quality of life. It is recognized that the infrastructure has the potential to support growth including major subdivisions.

A request to amend the 2013 Land Use Plan, Rural Agricultural Future Land Use Category (page 82) as follows:

Current Language: “Primary use of the land is to support rural residential life associated with agricultural uses (e.g. row crops, forestry, horticulture, grazing, poultry, dairy, swine operations, and intensive agricultural uses in certain areas) and other rural activities. Major subdivisions of

land are strongly discouraged; however, family subdivisions and subdivisions of four or less lots would be considered.”

Potential modification: “Primary use of the land is to support rural residential life associated with agricultural uses (e.g. row crops, forestry, horticulture, grazing, poultry, dairy, swine operations, and intensive agricultural uses in certain areas) and other rural activities. Major subdivisions of land should only be considered in the Future Land Use Map Category of Rural Agricultural that are zoned RA-40, RA-20, or RA-USB AND can be connected to existing water infrastructure. Major subdivisions of land are strongly discouraged in other Rural Agricultural areas however, family subdivisions and subdivisions of four or less lots would be considered.”

Ms. Ensminger went over each item within the packet regarding the request.

The following board member provided these comments.

- Ms. Newman was unsure why the language needed to be changed.
- Mr. McLean feels the current language and proposed language is vague and not sure why it needs to be changed.
- Mr. Garrison feels the language was in place for a reason and feels the Land Use Plan should be updated all at once vs. modification of language.
- Ms. Lynn feels the best path would be to update the Land Use Plan as a whole and not modify the language.

Ms. Ensminger explained there is a conflict between the Land Use Plan and the Unified Development Ordinance (UDO). The modifications being proposed is an attempt to fix inconsistencies.

With no further questions from the board, Chairman Garrison opened the Public Hearing.

The following signed up to speak during the Public Hearing.

- Matthew Parker; 4269 Union Church Rd. Carthage, NC - spoke against the proposed changes.
- Bob Coates, 21 Edinburgh Ln. Pinehurst, NC - spoke against the proposed changes. (See Exhibit A)
- Bruce Geddes, 232 Bowman Rd. Aberdeen, NC - spoke against the proposed changes. (See Exhibit B)
- Lynn Goldhammer, 11 Salem Ln. Pinehurst, NC - spoke against the proposed changes.
- Marsh Smith, 568 Santee Rd. Carthage - spoke against the proposed changes.

With no further discussion or public comment Chairman Garrison closed the public hearing.

Mr. McCue feels the proposed language modifications are to benefit the developers and not to protect Moore County. He feels this process is not the way to change the Land Use Plan, changes to the Land Use Plan should go through a major process of review in its entirety.

Board member McCue made a motion to Deny the proposed amendments to the 2013 Moore County Land Use Plan as provided within the staff report and recommended by the Board of County Commissioners. The motion was seconded by Board member Farrah Newman; the motion was denied 0-8.

PLANNING DEPARTMENT REPORTS

No departmental updates

BOARD COMMENT PERIOD

Chairman Garrison thanked staff and reminded everyone of the work session on May 18th.

ADJOURNMENT

With no further comments Vice-Chairman Bobby Hyman made a motion to adjourn the May 4, 2023, regular meeting. The motion was seconded by Board member David McLean, the motion passed unanimously 8-0. Meeting adjourned at 8:45 p.m.

Respectfully submitted by,

Stephanie Cormack

Moore County P&Z Meeting Public Comments - 4 May 2023

I'm Bob Coates and I live at 21 Edinburgh Lane in Pinehurst. I have some concerns with the proposed changes to both the UDO and the Land Use Plan - items 2 and 3 of the Public Hearing. My issues are fourfold.

- 1) It makes the development process too easy for developers.
- 2) It removes the requirement to provide meaningful information to the Subdivision Review Board during the preliminary plat review
- 3) The citizens are left out of providing input to the LUP
- 4) Development will go where the water line goes and the citizens do not have adequate input on where that will be

Changes to UDO Subdivision Process

Subdivision review is about determining how much development is feasible on a particular site in order to protect nearby landowners from unreasonable adverse impacts. The subdivision process is a three-way equation of the developer and the neighbors and the County government balancing both sets of interests. That is why there is an application process in the first place, why there are notice requirements, why the application documents are open to the public and why there are public hearings.

The proposed removal of a requirement for Zoning Decision signs because they are a "burden to the developer" is but one example of reducing the developer workload.

If the County hollows out this process it is infringing on the rights of existing invested development and it is abandoning its duty of governance and stewardship.

There is a proposal to move many of the Stormwater Management Plan requirements from the preliminary plat stage which is reviewed by the Subdivision Review Board (SRB) to final plat stage. This results in the SRB not being able to review many of the practical elements of the proposed subdivision. The reason given is that creating a stormwater management plan can be very expensive for the developer.

The reason cited in the Agenda Package for these amendments is to avoid inconvenience to developers. Developers are in the business of land development. They have to determine the development potential of a piece of land before they ever put an offer in to buy it. To suggest that they are incapable of demonstrating development feasibility to the County in order to justify a subdivision approval is not accurate and is at odds with long-standing subdivision requirements of this County and across North Carolina.

Please vote to recommend keeping the subdivision process intact.

Exhibit A

Amendments to Land Use Plan

The question of whether to open the historic Rural Agricultural portions of the County to suburban growth should be subject to a meaningful review by the citizens of the County. It would be a major change from our long-standing traditions from the 2013 Land Use Plan and from the draft Plan proposed in 2020.

Major subdivisions would now be considered in areas where there is existing water infrastructure. This results in a de facto zoning change. The citizens need to be involved in where the waterlines go.

The citizens of Moore County should be the ones to determine the question of how much growth should occur and where it is desired. This matter should be part of the intensive process of updating the Land Use Plan. Historically LUP updates have involved all sectors of the County. It should not be rushed.

Please vote to recommend against these amendments to the Land Use Plan and Future Land Use Map Classification.

Exhibit B

- The proposed changes to the UDO and land use plan are coupled with other activities, such as water and sewer projects underway or intended by the water and sewer task force. These projects are or will be located near or adjacent to existing towns and villages.
- The proposed changes don't specify areas targeted for development, but the draft 2020 land use plan includes a map, and that map shows areas targeted for development near or adjacent to existing towns and villages in southern Moore County. The new plan is likely to include a future land use map as well. What is that map going to show? Shouldn't you see it before considering the proposals on the table this evening? Shouldn't the residents of Moore County have an opportunity to see this map before you consider these proposals?
- A new map is likely to target areas for development near or adjacent to existing towns and villages, especially with the proposed language in the land use plan regarding use of existing utilities.
- Taken together, the water and sewer developments, coupled with the proposals you see this evening, will certainly enable, if not hasten, high density development around existing towns and villages, most of which will go into our current or expanded ETJs.
- The ETJs provide a vital buffer, in a rural form, that makes the towns and villages what they are. Small, quaint, and attractive, and in many places the ETJs also help protect high quality watersheds.
- If you agree with these proposals, you will be enabling the kind of growth that will swallow the towns and villages into a whole new way of life in southern Moore County, similar to the sprawl we see in places like Charlotte and Cary. I don't want that, and I hope you don't want it either.

Bruce Geddes

232 Bowman Rd.

Aberdeen NC 28315

19 acre farm in Pinehurst ETJ

MINUTES
MOORE COUNTY PLANNING BOARD WORK SESSION
THURSDAY, MAY 18, 2023, 6:00 PM
MOORE COUNTY HISTORIC COURTHOUSE – 2nd FLOOR

Board Members Present:

Joe Garrison (Chairman), Bobby Hyman (Vice-Chairman), David McLean, Farrah Newman, Mick McCue, Jeffrey Gilbert, Amy Lynn, Tucker McKenzie

Board Members Absent:

John McLaughlin

Staff Present:

Debra Ensminger, Planning Director; Stephanie Cormack, Admin Officer; Ruth Pedersen, Senior Planner; Tron Ross, Associate County Attorney; Misty Leland, County Attorney; Wayne Vest, County Manager; Nick Picerno, County Commissioner; Frank Quis, County Commissioner

CALL TO ORDER

Chairman Joe Garrison called the meeting to order at 6:00 pm.

INVOCATION

Chairman Joe Garrison offered the invocation.

WELCOME

Chairman Joe Garrison welcomed County Commissioner Quis and Picerno, County Manager Wayne Vest and County Attorney Misty Leland

WORK SESSION – Unified Development Ordinance Text Amendment – Debra Ensminger

Planning Director Debra Ensminger presented the following continued text amendments presented at the regular scheduled May 4th Planning Board meeting, during the May 4th meeting the board requested to hold a work session on May 18th, 6pm to discuss the item without public input.

Ms. Ensminger explained during the work session no action would be taken on the items discussed.

Ms. Ensminger went through each item line by line as presented within the staff report.

Chapter 19, Section 19.4 (Family Subdivisions) & Chapter 19, Section 19.6 (Minor Subdivisions)
Board suggestions:

- Mick McCue suggested removing the Subdivision Review Board process and modifying language giving the applicant a process of appeal if not reviewed within a time frame as a denial and can appeal to the Board of Adjustment.
- Amy Lynn suggested leaving language as is with a potential modification if the board feels otherwise.
- Joe Garrison suggested not modifying and leave as is.

Chapter 19, Section 19.7 (Major Subdivision-Preliminary Plat Submittal and Review) and Section 19.11 (Major Subdivision Construction Process)

Board suggestions:

- Joe Garrison feels the upfront cost for the storm water plan is not the best route during the preliminary stages in the event the proposed subdivision does not get approved to move forward.
- Tucker McKenzie feels the proposed language is reasonable and still protects the community.

Chapter 19, Section 19.16 (Subdivision Plat Requirements)

Board suggestions by item per staff report:

- Item a-No comments
- Item b-No comments
- Item c-No comments
- Item d-No comments
- Item e-No comments
- Item f-No comments
- Item g-David McLean suggested changing language from “allow” to “require”
- Item h-No comments
- Item i-No comments
- Item j-No comments

Chapter 19, Section 19.17 (Subdivision Plat Certification Requirements)

No Board suggestions

Chapter 20, Section 20.2 (Definitions)

No Board suggestions

Chapter 4, Section 4.1.E (Site Plan-Zoning Decision Sign)

No Board suggestions

Chapter 7, Section 7.8.G (Highway Corridor Overlay District, Conditional Zoning Uses)

No Board suggestions

Chapter 8, Section 8.113 (Wireless Communications Facility)

No Board suggestions

Chapter 17, Section 17.1 (Applicability)
No Board suggestions

Ms. Ensminger mentioned the items reviewed would need to be properly advertised for the Planning Board to take any action and could not be heard during the regularly scheduled meeting on June 1st, also mentioned there will be a conflict for the upcoming July Planning Board meeting. The board called for a Special Meeting on June 15th, 6pm located on the 2nd Floor of the Historic Courthouse.

ADJOURNMENT

With no further comments Vice-Chairman Bobby Hyman made a motion to adjourn the May 18, 2023, work session. The motion was seconded by Board member David McLean, the motion passed unanimously 8-0. The meeting was adjourned at 7:25 p.m.

Respectfully submitted by,

Stephanie Cormack

MEMORANDUM TO THE PLANNING BOARD

FROM: Debra Ensminger
Planning Director

DATE: May 19, 2023

SUBJECT: Unified Development Ordinance Amendments to:
Chapter 4 (Zoning Permits, Site Plans, and Determinations)
Chapter 7 (General Development Standards)
Chapter 8 (Specific Use Standards)
Chapter 17 (Flood Damage Prevention)

PRESENTER: Debra Ensminger

REQUEST

A request to amend Chapter 4, Chapter 7, Chapter 8, and Chapter 17 of the Moore County Unified Development Ordinance.

BACKGROUND

The text amendments below were approved by the Planning Board on October 6, 2022. They were brought before the Board of Commissioners on November 15, 2022. At that time, the Board of Commissioners recommended that the amendments be considered by the incoming Board at a later date. Since November, one amendment (item 4 below) has been added to these proposed amendments.

Bold Text – additions to the ordinance

~~Strikethrough Text~~ – deletions from the ordinance

1. Chapter 4 (Zoning Permits, Site Plans, and Determinations), Section 4.1 (Zoning Permit Required) to remove the zoning decision sign requirement as follows:

E. ZONING DECISION SIGN

~~The applicant shall post a sign containing the words “Zoning Decision” in letters at least 6 inches high, including contact information of the Administrator, on the site in a prominent location including street frontage, and provide evidence to the Administrator within 10 days of the permit issuance for new non-residential buildings or changes of use, for a minimum of 10 days to notify the neighbors, or the Zoning Permit shall be null and void.~~

REASON. Requiring the creation of a zoning decision sign places a burden on the developer and is difficult to monitor.

2. Chapter 7 (General Development Standards), Section 7.8 (Highway Corridor Overlay District) to add “Manufacturing, General” to uses allowed by Conditional Zoning in the Urban Transition Highway Corridor Overlay District as follows:

G. CONDITIONAL ZONING USES

1. URBAN TRANSITION SUB-DISTRICT

Any commercial buildings in excess of 10,000 square feet and any of the following use types may only be permitted within an underlying conditional zoning district when the lot or site is also located in the Urban Transition sub-district of the HCOD:

- i. Group Care Facility;
- ii. All uses listed under “Vehicle Services” in the commercial uses portion of the principal use table (see Chapter 6).
- iii. **Manufacturing, General**

REASON. Manufacturing, General uses have the potential to be intensive and may impact the visual character and appearance of the highway corridor. The Urban Transition Highway Corridor Overlay District is intended to improve property, support the natural conditions, and keep development consistent with the visual character and appearance of the nearby towns. To protect these goals, it is recommended that these uses require a Conditional Zoning approval when proposed to be in the Urban Transition Highway Corridor Overlay District.

3. Chapter 8 (Specific Use Standards) Section 8.113 (Wireless Communication Facility) to remove the requirement for a Biennial Operating Permit for persons operating Wireless Communication Facilities as follows:

10. BIENNIAL OPERATING PERMIT

~~Persons operating wireless communication facilities on the effective date of this Ordinance shall comply with this permit requirement. Before a biennial operating permit shall be issued or renewed, the applicant must certify that:~~

- ~~i. In compliance with current FCC rules and FCC license is in good standing.~~
- ~~ii. Evidence of the continued Liability Insurance of a minimum \$1,000,000.~~
- ~~iii. Evidence of any bond or other security if the wireless communications facility remains in full force.~~
- ~~iv. Permit fees shall not be pro-rated.~~
- ~~v. Private business users operating a single wireless communications facility at their place of business and government uses are exempt from the fee.~~

REASON. The Biennial Operating Permit requires operators of cell towers to pay a fee every two years. The items required for approval of a Biennial Operating Permit are also required when a new tower is built, or when any collocations of equipment on an existing tower are proposed. Additionally, there is nothing in NCGS 160D that requires counties to require a Biennial Operating Permit. This requirement creates redundancy and imposes unnecessary fees on Wireless Communications Facility operators.

4. Chapter 17 (Flood Damage Prevention) Section 17.1 (Applicability) to correct the statute reference as follows:

SECTION 17.1. APPLICABILITY

- A.** In accordance with NCGS Chapter 143, Article 21 and ~~Chapter 153A, Articles 6 and 18, Chapter 160D-923~~, this Chapter shall apply to all Special Flood Hazard Areas within Moore County’s planning jurisdiction, and within the jurisdiction of any other community whose governing body agrees, by resolution, to such applicability.

REASON. To correct the statute reference to reflect NCGS 160D.

CONSISTENCY WITH THE 2013 MOORE COUNTY LAND USE PLAN

The Planning Board Consistency Statement which speaks to Land Use Plan goals is included for the Board’s review and consideration.

RECOMMENDATION

Staff recommends the Moore County Planning Board make two separate motions:

Make a motion to adopt the attached **Approval** or **Denial** Planning Board Land Use Plan Consistency Statement and authorize the Chairman to execute the document as required by North Carolina General Statute 160D-605.

Make a motion to recommend **Approval** or **Denial** to the Moore County Board of Commissioners of the proposed text amendments to Chapter 4, Chapter 7, Chapter 8, and Chapter 17 of the Moore County Unified Development Ordinance.

SUPPORTING ATTACHMENTS

Planning Board Consistency Statement - Approval

Planning Board Consistency Statement - Denial

Moore County Planning Board
Land Use Plan Consistency Statement
Text Amendment - Unified Development Ordinance

The Moore County Planning Board finds that:

The proposed text amendment is consistent with the following goals as listed in the 2013 Moore County Land Use Plan:

1. It is consistent with Goal 4: Provide Information and Seek Citizen Participation.
 - Recommendation 4.1 Promote efforts to involve and inform citizens throughout various planning and permitting processes. Action 4.1.1: Continue to support and implement easy to understand guidelines to incorporate throughout governmental departments.
 - The proposed changes will introduce practical guidelines making the Unified Development Ordinance easier to understand and enforce.

The proposed text amendment is reasonable and in the public interest because:

1. It supports the current 2013 Moore County Land Use Plan goals and recommendations listed above.
2. The text amendments are based on research and practical knowledge to ensure that the proposed regulations are appropriate and understandable.

Therefore, the Moore County Planning Board recommends **APPROVAL** of the text amendment to the Unified Development Ordinance, as proposed.

Joseph Garrison, Chair
Moore County Planning Board

Date

Moore County Planning Board
Land Use Plan Consistency Statement
Text Amendment - Unified Development Ordinance

The Moore County Planning Board finds that:

The proposed text amendment is not consistent with the following goals as listed in the 2013 Moore County Land Use Plan:

1. It is not consistent with Goal 4: Provide Information and Seek Citizen Participation.
 - Recommendation 4.1 Promote efforts to involve and inform citizens throughout various planning and permitting processes. Action 4.1.1: Continue to support and implement easy to understand guidelines to incorporate throughout governmental departments.

The proposed text amendment is not reasonable and in the public interest because:

1. It does not support the current 2013 Moore County Land Use Plan goals and recommendations listed above.

Therefore, the Moore County Planning Board recommends **DENIAL** of the text amendment to the Unified Development Ordinance, as proposed.

Joseph Garrison, Chair
Moore County Planning Board

Date

Moore County Planning Board Special Meeting
Meeting Date: June 15, 2023

MEMORANDUM TO THE PLANNING BOARD

FROM: Debra Ensminger
Planning Director

DATE: May 19, 2023

SUBJECT: Unified Development Ordinance Amendments to:
Chapter 19 (Subdivisions)
Chapter 20 (Definitions)

PRESENTER: Debra Ensminger

REQUEST

A request to amend Chapter 19 and Chapter 20 of the Moore County Unified Development Ordinance as follows:

BACKGROUND

The following text amendments were approved by the Planning Board on October 6, 2022. They were brought before the Board of Commissioners on November 15, 2022. At that time, the Board recommended that the amendments be considered by the incoming Board at a later date. Since November, three additional items (3, 4b, and 6 below) have been added to these proposed amendments.

Bold Text – additions to the ordinance

~~Strikethrough Text~~ – deletions from the ordinance

1. Chapter 19 (Subdivisions) Section 19.4 (Family Subdivisions) to remove Subdivision Review Board (SRB) requirements to approve family subdivision plats as follows:

D. ACTION BY THE ADMINISTRATOR

- i. The Administrator shall render a decision within 14 working days after receipt of the completed plat.
- ii. The plat shall not be approved by the Administrator until all additional documents have been reviewed and approved.
- ~~iii. If no decision is rendered by the Administrator within the required 14-day period, the applicant may refer the Family Subdivision plat to the Subdivision Review Board for review.~~
- iv. If the subdivision is disapproved, the Administrator shall promptly furnish the applicant with a written statement of the reasons for disapproval.

REASON. To streamline the process for reviewing Family and Minor subdivisions.

2. Chapter 19 (Subdivisions) Section 19.6 (Minor Subdivisions) to remove Subdivision Review Board (SRB) requirements to approve minor subdivisions.

E. ACTION BY THE ADMINISTRATOR

- i. The Administrator shall render a decision on a minor subdivision application within 14 working days after receipt of the completed plat and additional documents.
- ~~ii. If no decision is rendered by the Administrator within the required 14-day period, the applicant may refer the plat to the Subdivision Review Board for review.~~
- iii. If the subdivision is disapproved, the Administrator shall promptly furnish the applicant with a written statement of the reasons for disapproval.

REASON. To streamline the process for reviewing Family and Minor subdivisions.

3. Chapter 19 (Subdivisions) to change Stormwater Management Plan requirement from preliminary plat stage (Section 19.7) to final plat stage, update the requirements to be consistent with current NCDEQ policies, and move this language to Section 19.11 (Construction Process).

G. C. DRAINAGE

A Stormwater Management Plan with Stormwater Control Measures (SCMs) meeting the most current edition of the North Carolina Department of Environmental Quality Stormwater Design Manual shall be required prior to final plat submittal for subdivisions in a WS-II, WS-III, or WS-IV Watershed. Projects within a High-Quality Watershed (HQW) or an Outstanding Resource Watershed (ORW) also require a Post-Construction Stormwater Management Permit from the North Carolina Department of Environmental Quality Division of Energy, Mineral and Land Resources (DEMLR) prior to the construction of any built-upon area. For example, a proposed subdivision in a WS-IIIP watershed and *not* in a HQW is required to submit a stormwater management plan to the County but does not need a Post-Construction Stormwater Management Permit from DEMLR. When a Post-Construction Stormwater Management Permit is required, it shall be obtained from DEMLR, and a copy of the permit shall be submitted to the County prior to final plat preliminary plat approval. All structural stormwater Subdivisions in the HQW, with up to 12% built-upon area are considered Low Density where stormwater runoff may be through dispersed flow or vegetated conveyance. Projects with greater than 12% built-upon area are High Density and require engineered Stormwater Control Measures (SCMs) per DEMLR. Best Management Practices (BMPs) shall meet the most current edition of the North Carolina Department of Environmental Quality, Division of Water Quality's Stormwater Best Management Practices Manual. All stormwater control structures shall be designed by a state registered professional with qualifications appropriate for the type of system required. Residential subdivisions shall have systems designed to protect to the ten (10) year storm level, and commercial and industrial shall be protected to the twenty-five (25) year storm level. Each lot shall contain a suitable building area safe from inundation and erosion. Sanitary sewer systems, septic tank drainfields, water systems, wells, and adjacent properties shall be protected from inundation by surface water. ~~Where a subdivision is traversed by a stream or drainage way, an easement shall be provided conforming with the lines of such stream and be of sufficient width to provide adequate drainage for the subdivision. If a stream or drainage way does not cross a subdivision, a 20-foot wide drainage way easement shall be provided along the topographically lowest property line(s) of lots within the subdivision.~~

REASON. To reflect current North Carolina Department of Environmental Quality standards. The NCDEQ requires a post-construction stormwater management permit prior to construction of any impervious surfaces when a proposed subdivision is located in a High-Quality Watershed. When a proposed subdivision is not in a High-Quality Watershed, the developer would still be required to submit a stormwater management plan to the County. This requirement is being moved from the preliminary plat approval stage to the final plat approval stage because creating a stormwater management plan can be very expensive for the developer. Moving the requirement allows the developer to spend that money once they know that the subdivision is approved.

4. Chapter 19 (Subdivisions) Section 19.16 (Subdivision Plat Requirements) to change items on the Table of Subdivision Application Requirements as follows:

- a. Proposed buildings are required only if applicable on preliminary plats.
REASON. At the preliminary plat stage, no lots have been sold and no buildings are proposed. All buildings will be required to meet zoning and building code requirements before building permits are issued.
- b. Existing buildings are required only on exempt, minor, and family subdivisions.
REASON. This is to ensure that no subdivision would create a setback violation on an exempt, minor, or family subdivision. For major subdivisions, any existing buildings would likely be removed to allow for the development and sale of the new lots.
- c. Allow existing topography to be shown on preliminary plats, not proposed topography.
REASON. The proposed topography is not determined until a grading plan is created, which is done after the preliminary plat is approved.
- d. Allow existing and proposed entrance signs to be shown on preliminary plats if applicable.
REASON. As with buildings, there may be no entrance signs proposed at preliminary plat stage.
- e. Allow estimated linear feet in streets on preliminary plats and require linear feet in streets on final plats.
REASON. This number may change between preliminary plat approval and construction of streets.
- f. Allow estimated Percentage of entire project to be covered with impervious surfaces, including totals by phase on preliminary plats and require percentage of entire project to be covered with impervious surface, including totals by phase on final plats.
REASON. Impervious surface numbers may be estimated at preliminary plat stage since some of the details of buildings, streets, and sidewalks are still to be determined.
- g. Allow estimated separate impervious surface totals by streets, sidewalks, maximum allowed for each lot on preliminary plats and require separate impervious surface totals by streets, sidewalks, maximum allowed for each lot, etc. on final plats.
REASON. The total area of impervious surfaces in streets, and sidewalks may have minor changes between preliminary plat approval and final plat approval.
- h. Primary and secondary fire and rescue responders are required on preliminary and final plats.
REASON. This is to show which fire and rescue department would respond in case of an emergency. This requirement is already in the text of the UDO, but not included in the table of subdivision application requirements.
- i. Allow Stormwater Management Plans for major subdivisions to be submitted at final plat stage rather than preliminary plat stage.
REASON. A stormwater management plan will be required before any construction takes place. Obtaining a stormwater management plan at preliminary plat stage can impose an unnecessary cost burden on the developer.

TABLE OF SUBDIVISION APPLICATION REQUIREMENTS

INFORMATION REQUIRED	EXEMPT PLAT	FAMILY PLAT	MINOR PLAT	MAJOR PRELIM. PLAT	MAJOR FINAL PLAT
MAP SIZE AND MATERIALS					
Plat is 18X24", 21X30", or 24X36" in size	R	R	R	R	R
Legible black ink on mylar or white paper	R	R	R	R	R
TITLE BLOCK					
Property Designation / Name of Subdivision	R	R	R	R	R
Type of plat (minor plat, preliminary plat, etc.,)		R	R	R	R
Name of Property Owner	R	R	R	R	R
Township, County and State	R	R	R	R	R
Date the survey was prepared & any revision dates	R	R	R	R	R
Scale in words (Ex. 1"=200 feet)	R	R	R	R	R
Bar graph	R	R	R	R	R
Name, address, and telephone # of surveyor	R	R	R		R
The names, addresses, and telephone # of all owners, surveyors, architects, and engineers responsible for the subdivision				R	R
GENERAL INFORMATION					
Zoning district(s) of property & abutting properties		R	R	R	R
Parcel ID Number(s)		R	R	R	R
Plat book and/or deed book reference	R	R	R	R	R
Names of abutting property owners	R	R	R	R	R
Vicinity map	R	R	R	R	R
Corporate limits & county lines	R	R	R	R	R
Surveyor and/or engineer original signature, seal, & registration #				R	
Surveyor's original signature, seal, & registration #	R	R	R		R
North arrow and orientation	R	R	R	R	R
Course and distance of existing and proposed property lines (label old property lines)	R	R	R	R	R
Tied to nearest street intersection if within 300 feet		R	R		R
Tied to USGS marker if within 2000 feet	R	R	R		R
Location and description of all monuments, markers and control corners		R	R		R
Minimum 2 control corners present when creating a new road right-of-way	R	R	R		R
Location of all existing buildings including distance to property lines (if applicable)	R	R	R		
Location of all existing and proposed buildings (if applicable) including distance to property lines	R	R	R	R	R
Square footage of all lots under 1 acre in size and acreage for all lots over 1 acre in size		R	R	R	R
Lots numbered consecutively		R	R	R	R
Lines not surveyed must be clearly indicated (include source data)	R	R	R	R	R
All mapping shall comply with NCGS 47-30	R	R	R		R
Required Certificates	See Section 25.16 for certificate requirements.				

TABLE OF SUBDIVISION APPLICATION REQUIREMENTS

INFORMATION REQUIRED	EXEMPT PLAT	FAMILY PLAT	MINOR PLAT	MAJOR PRELIM. PLAT	MAJOR FINAL PLAT
If more than one sheet, each sheet must be signed, sealed, and numbered (ex. 1 of 3, 2 of 3, 3 of 3)					
AMENITIES & NATURAL FEATURES LAYOUT					
Location, dimension, and details of proposed recreation areas and facilities (golf courses, clubhouses, pools, tennis courts, playgrounds, etc.)				R	R
Required landscaping / perimeter buffer				R	R
Riding trails, pedestrian, or bicycle paths				R	R
Areas to dedicated as common area or open space – label the future ownership (HOA, dedication for public use to governmental body, etc.)				R	R
Areas to be used for uses other than residential				R	R
Name and location of any property or building on the National Register of Historic Places				R	R
Wetlands, marshes, rock outcrops, pond, lakes, streams, railroads, bridges and any other features affecting the site		R	R	R	
Location of any floodplain areas as shown on FEMA Flood Insurance Rate Maps	R	R	R	R	R
Existing and proposed topography of tract and 100 feet beyond property showing contour intervals of no greater than 5 feet				R	
Existing and proposed entrance signs (if applicable) including sight triangles and located outside the ROW				R	R
UTILITY LAYOUT					
A note indicating that the proposed subdivision will be served by either a central or individual water supply		R	R	R	
A note indicating that the proposed subdivision will be served by either a central or individual sewer / septic system		R	R	R	
Water & Sewer - Connections to existing systems, line sizes, material of lines, blowoff & valves, manholes, catch basins, force mains, location of fire hydrants				R	
Storm drains, swales, detention ponds, & other drainage facilities, if any				R	
Natural gas lines				R	
Electric Lines				R	
Telephone Lines, Cable TV, etc.				R	
Utility and other easements				R	
Any additional determined by reviewing agencies that may be required to review plat				R	
STREET LAYOUT					
Proposed and existing rights-of-way – label public or private streets	R	R	R	R	R

TABLE OF SUBDIVISION APPLICATION REQUIREMENTS

INFORMATION REQUIRED	EXEMPT PLAT	FAMILY PLAT	MINOR PLAT	MAJOR PRELIM. PLAT	MAJOR FINAL PLAT
Right-of-way & pavement location, widths, & dimensions			R	R	R
Cul-de-sac pavement diameter				R	
Approximate grades				R	
Typical detailed cross section(s)				R	
Existing and proposed street names				R	R
SUBDIVISION INFORMATION & CALCULATIONS TABLE					
Classification of Watershed Overlay District		R	R	R	R
Existing & Proposed use(s) of land				R	
Existing & Proposed zoning classification(s)				R	
Front, side, rear setback requirements				R	
Acreage in total tract to be subdivided		R	R	R	
Acreage in recreation & open space (label)				R	
Total number of lots proposed				R	
Estimated linear feet in streets				R	
Linear feet in streets				R	R
Estimated percent of entire project to be covered with impervious surfaces, including totals by phase				R	
Percent of entire project to be covered with impervious surfaces, including totals by phase				R	R
Estimated separate impervious surface totals by streets, sidewalks, maximum allowed for each lot, etc.				R	
Separate impervious surface totals by streets, sidewalks, maximum allowed for each lot, etc.				R	R
Primary and secondary fire and rescue responders				R	R
PERMITS AND OTHER DOCUMENTATION REQUIRED BEFORE FINAL PLAT APPROVAL					
Construction plans for all infrastructure / improvements (such as streets, water, sewer, hydrants, stormwater, etc. Approval is required by appropriate agencies before construction begins)					R
Stormwater management plan				R	R
Inspection results of all improvements					R
As built drawings of all improvements					R
NCDEQ Approval of the Erosion & Sediment Control Plan (if disturbing more than 1 acre)					R
NCDOT Approval of Driveway Access Permit					R
Wetland delineation of property					R
US Army Corp of Engineers Approval of earth disturbing activities in Wetlands (if applicable)					R
Submit copy of HOA agreement to be approved by the Administrator					R
Affidavit of Family Subdivision		R			
Deed of Gift		R			

TABLE OF SUBDIVISION APPLICATION REQUIREMENTS					
INFORMATION REQUIRED	EXEMPT PLAT	FAMILY PLAT	MINOR PLAT	MAJOR PRELIM. PLAT	MAJOR FINAL PLAT
Private Road Maintenance Agreement, if applicable		R	R		
Any other information the Administrator deems necessary to determine compliance with this Ordinance				R	R

5. Chapter 19 (Subdivisions), Section 19.17 (Subdivision Plat Certification Requirements) to remove the requirement for a utilities certificate on minor subdivision plats.

REASON. Improvements for utilities are very rarely installed for minor subdivisions.

SECTION 19.17. SUBDIVISION PLAT CERTIFICATION REQUIREMENTS

A. TABLE

1. The table below identifies the kind of certification statement required on a subdivision plat filed under this Ordinance. An "R" indicates that the particular certification statement is required, and a blank cell indicates that the information is not required.
2. The exact certification language to be used follows the table.
3. The Administrator may waive items if it is determined that they are not applicable.

Table of Subdivision Certification Requirements					
TYPE OF CERTIFICATE OR STATEMENT [1]	EXEMPT PLAT [2]	FAMILY PLAT	MINOR PLAT	MAJOR PRELIM. PLAT	MAJOR FINAL PLAT
Certificate of Survey Accuracy	R	R	R		R
Certificate of Purpose of Plat	R	R	R		R
Review Officer Certification	R	R	R		R
Certificate of Ownership		R	R		
Certificate of Ownership and Dedication				R	R
Certificate of Exemption	R				
Exemption 160D-802 Compliance Statement	R				
Certificate of Family Subdivision Plat Approval		R			
Family Documents Deed References		R			
Septic Suitability Certificate Statement		R			
Voluntary Agricultural District Proximity Statement		R	R	R	R
Public Water Supply Watershed Protection Statement		R	R	R	R
Certificate of Minor Subdivision Plat			R		
Certificate of Preliminary Major Subdivision Plat				R	
Certificate of Final Major Subdivision Plat Approval					R
NCDOT Div. of Highways District Engineer Certificate					R
Public Street Maintenance Disclosure Statement					R
Private Roads Disclosure Statement					R

Table of Subdivision Certification Requirements

TYPE OF CERTIFICATE OR STATEMENT [1]	EXEMPT PLAT [2]	FAMILY PLAT	MINOR PLAT	MAJOR PRELIM. PLAT	MAJOR FINAL PLAT
Certificate of Approval of the Design and Installation of Streets, Utilities, and Other Required Improvements					R
Utilities Certificate			R		R
Sediment & Erosion Control Plan Certificate					R
Stormwater Control Certificate					R
Licensed Soil Scientist Certificate					R
Certificate of Warranty					R
NOTES: [1] Statements such as “Preliminary, Not For Recording” cannot be recorded. [2] Preparation of an exempt plat is voluntary and at the discretion of the applicant for an exempt subdivision application.					

6. Chapter 20 (Definitions) Section 20.2 (Definitions) to add the following definitions as follows:

STORMWATER MANAGEMENT PLAN	The set of drawings and other documents that comprise all the information and specifications for the programs, drainage systems, structures, BMPs, concepts, and techniques intended to maintain or restore quality of stormwater runoff to pre-development levels.
STORMWATER CONTROL MEASURES (SCMs)	Also known as “Best Management Practice” or “BMP” means a permanent structural device that is designed, constructed, and maintained to remove pollutants from stormwater runoff by promoting settling or filtration; or to mimic the natural hydrologic cycle by promoting infiltration, evapo-transpiration, post-filtration discharge, reuse of stormwater, or a combination thereof.
DISPERSED FLOW	Uniform shallow flow that is conveyed to a vegetated filter strip (as defined in 15A NCAC 2H .1059), another vegetated area, or stormwater control measure. The purpose of “dispersed flow” is to remove pollutants through infiltration and setline, as well as to reduce erosion prior to stormwater reaching surface waters.
VEGETATED CONVEYANCE	A permanent, designed waterway lined with vegetation that is used to convey stormwater runoff at a non-erosive velocity within or away from a developed area.
POST-CONSTRUCTION STORMWATER MANAGEMENT PERMIT	A permit obtained from the North Carolina Department of Environmental Quality Department of Energy, Mineral, and Land Resources to minimize the impact of stormwater runoff from development on the water quality of surface waters and to protect their designated best usages in in High Quality Watersheds (HQW) and Outstanding Resource Waters (ORW).

REASON. To be consistent with NCDEQ definitions and provide context for Section 19.11 listed above.

CONSISTENCY WITH THE 2013 MOORE COUNTY LAND USE PLAN

The Planning Board Consistency Statement which speaks to Land Use Plan goals is included for the Board's review and consideration.

RECOMMENDATION

Staff recommends the Moore County Planning Board make two separate motions:

Make a motion to adopt the attached **Approval** or **Denial** Planning Board Land Use Plan Consistency Statement and authorize the Chairman to execute the document as required by North Carolina General Statute 160D-605.

Make a motion to recommend **Approval** or **Denial** to the Moore County Board of Commissioners of the proposed amendments to Chapter 19 and Chapter 20 of the Moore County Unified Development Ordinance.

SUPPORTING ATTACHMENTS

- Planning Board Consistency Statement - Approval
- Planning Board Consistency Statement - Denial

Moore County Planning Board
Land Use Plan Consistency Statement
Text Amendment - Unified Development Ordinance

The Moore County Planning Board finds that:

The proposed text amendment is consistent with the following goals as listed in the 2013 Moore County Land Use Plan:

1. It is consistent with Goal 4: Provide Information and Seek Citizen Participation.
 - Recommendation 4.1 Promote efforts to involve and inform citizens throughout various planning and permitting processes. Action 4.1.1: Continue to support and implement easy to understand guidelines to incorporate throughout governmental departments.
 - The proposed changes will introduce practical guidelines making the Unified Development Ordinance easier to understand and enforce.

The proposed text amendment is reasonable and in the public interest because:

1. It supports the current 2013 Moore County Land Use Plan goals and recommendations listed above.
2. The text amendments are based on research and practical knowledge to ensure that the proposed regulations are appropriate and understandable.

Therefore, the Moore County Planning Board recommends **APPROVAL** of the text amendment to the Unified Development Ordinance, as proposed.

Joseph Garrison, Chair
Moore County Planning Board

Date

Moore County Planning Board
Land Use Plan Consistency Statement
Text Amendment - Unified Development Ordinance

The Moore County Planning Board finds that:

The proposed text amendment is not consistent with the following goals as listed in the 2013 Moore County Land Use Plan:

1. It is not consistent with Goal 4: Provide Information and Seek Citizen Participation.
 - Recommendation 4.1 Promote efforts to involve and inform citizens throughout various planning and permitting processes. Action 4.1.1: Continue to support and implement easy to understand guidelines to incorporate throughout governmental departments.

The proposed text amendment is not reasonable and in the public interest because:

1. It does not support the current 2013 Moore County Land Use Plan goals and recommendations listed above.

Therefore, the Moore County Planning Board recommends **DENIAL** of the text amendment to the Unified Development Ordinance, as proposed.

Joseph Garrison, Chair
Moore County Planning Board

Date